

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

UNITED STATES OF AMERICA

v.

JUAN ANTONIO CEPEDA

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CRIMINAL NO. 5:20-CR-1795-S-1

FACTUAL STATEMENT IN SUPPORT OF PLEA AGREEMENT

The United States of America, by and through Ryan K. Patrick, United States Attorney for the Southern District of Texas and **Francisco J. Rodriguez**, Assistant United States Attorney, and the defendant, **JUAN ANTONIO CEPEDA** and the defendant's counsel, hereby stipulate as follows:

I.

If this case proceeded to trial, the United States of America would prove each element of the offense beyond a reasonable doubt. The following facts, among others, would be offered to establish the Defendant's guilt:

II.

On September 14, 2020, agents with Homeland Security Investigations received information from the Laredo Police Department (LPD) that an individual identified as "Tony", driving a Tan Chevrolet Tahoe and residing at the 400 block of Gale Street, Laredo, Texas, was a convicted felon presently engaged in the illegal exportation of ammunition to Mexico from the United States. Agents with HSI were able to identify this "Tony" as defendant JUAN ANTONIO CEPEDA, an individual driving a similar vehicle and residing at the same address.

At approximately 9:55 p.m., agents saw a tan Chevrolet Tahoe they later determined to be registered to defendant CEPEDA driving down Interstate Highway 35 in proximity to another

vehicle, a tan Lincoln Navigator. The two vehicles appeared to be riding in tandem, changing lanes in sync with each other and following the same route for several miles.

A State Trooper with the Texas Department of Public Safety (DPS) conducted a traffic stop on the tan Lincoln Navigator. The Trooper identified defendant ABRAHAM JOAQUIN CANELA as the driver. When asked to provide a driver's license and proof of registration, CANELA advised that he did not have one. CANELA gave consent for the Trooper to search his vehicle, and he found a ledger with hand-written notes listing ammunition of various calibers. The Trooper detained CANELA and he was afterwards turned over to HSI custody.

A LPD officer conducted another traffic stop of the tan Chevrolet Tahoe. The LPD officer identified defendant CEPEDA as the driver. CEPEDA did not provide a driver's license, only a Texas state identification card, and gave consent for him to search his vehicle. The officer subsequently discovered thousands of rounds of ammunition in various calibers in the backseat area of CEPEDA's vehicle. He also found firearms in inside the back hatch. The officer then placed CEPEDA in handcuffs and read him his *Miranda* rights, which CEPEDA indicated he understood. CEPEDA was afterwards turned over to HSI custody.

During a custodial interview, defendant CEPEDA admitted to agents that he knew he was illegally transporting ammunition with the intention that it be smuggled to Mexico for the promise of \$2,000 dollars payment. He also admitted to having done so on at least one prior occasion with the same criminal organization. He told agents that he had traveled to Houston, Texas, on September 13, 2020, and stayed at a motel where unknown men had loaded his vehicle with the ammunition. CEPEDA told agents than an individual he called "Abran" was in frequent phone contact with him as he traveled along the interstate highway from Houston to Laredo, coordinating travel. CEPEDA provided consent to search his phone and agents later learned that the "Abran"

phone number corresponded to the phone number for defendant CANELA. CEPEDA acknowledged not having a license to export firearms or ammunition and for knowing it was illegal to do so. Defendant CEPEDA also admitted to being a felon.

Within CEPEDA's vehicle, agents found:

- Approximately 14,969 rounds of 7.62 millimeter ammunition
- Approximately 8,341 rounds of .223 millimeter ammunition
- Eleven (11) 5.56 millimeter magazines
- Four (4) 7.62 millimeter magazines
- Anderson, AM-15, 5.56 millimeter pistol with serial number 20137155
- Anderson, AM-15, 5.56 millimeter pistol with serial number 20176527
- Anderson, AM-15, 5.56 millimeter pistol with serial number 20176367
- ROMARM/CUGIR, WASR-10, 7.62 millimeter pistol with serial number 1965N02627
- Bushmaster, Carbon 15, .223 caliber rifle with serial number CRB039238
- Bushmaster, XM15-E2S, .204 caliber rifle with serial number L074354
- Palmetto State Armory PSAK 47, 7.62 millimeter rifle with serial number AKB027037
- Jigsaw Weaponry, CE-15, multi-caliber pistol, JSW-00236
- Spike's Tactical, ST15, 5.56 millimeter rifle with serial number SCR066314
- Bigelow Ind., LOW 15, 5.56 millimeter rifle with serial number SAA00142

On February 15, 2005, defendant CEPEDA was convicted of possession with the intent to distribute over 50 kilograms of marijuana under federal cause number 5:00-CR-372-01 and was sentenced to 54 months to serve with a three-year term of supervised release.

According to an ATF interstate nexus query, the ammunition was manufactured outside the state of Texas.

III.

Defendant, **JUAN ANTONIO CEPEDA**, hereby confesses and judicially admits that on **September 14, 2020**, in violation of Title 18, United States Code, Section 554, he did receive, conceal, and facilitate the transportation, concealment, and sale of merchandise, articles, and objects, that is: firearms, firearm magazines, and ammunition, prior to exportation, knowing the same to be intended for exportation contrary to said laws and regulations of the United States, to wit: Title 50, United States Code, Section 4819(a)(2) and (b) and Title 15, Code of Federal Regulations Section 730, et. seq.


WITH DEFENDANT'S CONSENT AND PERMISSION

JUAN ANTONIO CEPEDA
Defendant

APPROVED:

RYAN K. PATRICK
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By:



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